

Message Text

UNCLASSIFIED

PAGE 01 CALCUT 01388 090522Z

17

ACTION NEA-16

INFO OCT-01 ISO-00 SCSE-00 SCA-01 L-03 H-03 PA-04 USIE-00

PPTE-00 CIAE-00 INR-10 NSAE-00 RSC-01 SY-04 FBIE-00

SS-20 NSC-07 SSO-00 INRE-00 NSCE-00 PRS-01 DRC-01

/072 W

----- 049852

O 090415Z JUL 74

FM AMCONSUL CALCUTTA

TO SECSTATE WASHDC IMMEDIATE 4023

INFO AMEMBASSY NEW DELHI IMMEDIATE

UNCLAS CALCUTTA 1388

NEA/INS FOR AMB MOYNIHAN

E.O. 11652: N/A

TAGS: CASC, PFOR, IN

SUBJ: HARCOS/FLETCHER: HINDUSTHAN STANDARD STORY

FOLLOWING IS FULL TEXT OF FRONT PAGE JULY HINDUSTHAN STANDARD STORY, "SMUGGLERS OR SPIES OR..." QUOTE THE ARRESTS OF TWO AMERICANS ON CHARGES OF SPYING A LITTLE OVER A YEAR AGO IN CALCUTTA HAVE BY NOW DEVELOPED INTO A CLOAK-AND-DAGGER THRILLER STORY. CALCUTTA HIGH COURT ORDERED LAST WEEK THAT THEIR CASES SHOULD BE COMMITTED IN THE CITY SESSIONS COURT WITHIN A WEEK. THE CASES ARE EXPECTED TO COME UP FOR TRIAL WITHIN A DAY OR TWO.

"ANTHONY FLETCHER AND RICHARD HARCOS, BOTH OF SAN FRANCISCO, ARRIVED IN CALCUTTA, ACCORDING TO PRELIMINARY POLICE REPORTS, DURING THE SECOND HALF OF APRIL 1973. HARCOS WAS ARRESTED FROM THE KING GEORGE'S DOCK AREA, A PROTECTED PLACE, WITHOUT VALID PAPERS AND WITH SCUBA DIVING GEAR IN THE EARLY MORNING HOURS OF APRIL 26. FLETCHER WAS HAULED THE SAME EVENING FROM A CALCUTTA HOTEL ROOM.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 CALCUT 01388 090522Z

"AFTER TWO SITTINGS OF OPEN HEARINGS DURING INVESTIGATION

IN THE CHIEF PRESIDENCY MAGISTRATE'S COURT, AN ORDER WAS PASSED DECREERING THAT THE PROCEEDINGS WOULD NOT BE MADE AVAILABLE FOR REPORTING. POLICE HAVE NOW FRAMED THE CHARGE SHEET AGAINST THE TWO PERSONS AND TRIAL IS EXPECTED TO START VERY SOON.

"AT THE BEGINNING THERE WAS A STRONG FEELING THAT THE TWO WERE INVOLVED IN SMUGGLING HASHISH. INSTANCES OF UNDER-WATER DIVERS FIXING THEIR PREVIOUS CARGO TO THE OUTER SIDE OF THE BULL TO BE "UNLOADED" BY THE SAME PROCESS BY APPOINTED PEOPLE AT APPOINTED PLACES ARE QUITE COMMON IN THE WORLD OF SMUGGLING.

"THE TWO AMERICANS HAVE BEEN CHARGED UNDER SECTIONS 3 AND 9 OF THE OFFICIAL SECRETS ACT AND HAVE BEEN ALLEGED TO HAVE PARTICIPATED IN ACTS WITH "A PURPOSE PREJUDICIAL TO THE SAFETY OR INTERESTS OF THE STATE OF INDIA." IF CONVICTED THEY COULD EVEN RECEIVE LIFE IMPRISONMENT. BUT MANY OBSERVERS BELIEVE THAT THE FATE OF THE CASE WILL BE CONSIDERABLY INFLUENCED BY THE PREVAILING EQUATIONS ON THE DIPLOMATIC FRONT WHICH, SO FAR AS NEW DELHI AND WASHINGTON ARE NOW CONCERNED, APPEAR TO HAVE GOT OVER THE CHILL OF THE PAST FEW YEARS.

"SOON AFTER THE ARRESTS OF THE TWO AMERICANS, POLICE ALSO ROUNDED UP DAVID CHANG, THE OWNER OF A CHINESE RESTAURANT CLOSE TO THE HOTEL WHERE FLETCHER AND HARCOS WERE SAID TO TAKE THEIR FOOD FREQUENTLY. ONE OF CHANG'S BROTHERS IS A DOCTOR IN SAN FRANCISCO.

"THE TWO AMERICAN LAWYERS WHO HAVE BEEN BILLED TO DEFEND FLETCHER ARE LEONARD BOUDIN AND DOLORES DONOVAN. THEY WERE COUNSEL FOR DENIEL ELLSBERG IMPLICATED IN THE FAMOUS PENTAGON PAPERS CASE. BOUDIN'S NEW YORK FIRM REPRESENTS CUBAN INTERESTS IN THE UNITED STATES AND APPEARED FOR CHILEAN AUTHORITIES AGAINST SEVERAL US MULTINATIONAL CONCERNS LIKE THE INTERNATIONAL TELEPHONE AND TELEGRAPH BEFORE THE FALL OF THE CHILEAN LEADER SALVADORE ALLENDE. LEGAL CIRCLES POINTED OUT THAT BOUDIN AND DONOVAN ARE THE MOST UNLIKELY PEOPLE TO HOLD THE BRIEF FOR A CENTRAL INTELLIGENCE AGENCY UNCLASSIFIED

UNCLASSIFIED

PAGE 03 CALCUT 01388 090522Z

TEAM.

"THE VERY DAY THE WASHINGTON POST FLASHED THE STORY OF THE TWO AMERICANS, A SPOKESMAN FOR THE U.S. STATE DEPARTMENT STATED THAT FLETCHER AND HARCOS HAD NO CONNECTION WITH THE US GOVERNMENT. THEIR PRESENCE IN INDIA HAD NOTHING TO DO WITH THE AMERICAN GOVERNMENT, HE STRESSED. BUT HE MENTIONED THAT THE US CONSUL GENERAL IN CALCUTTA HAD VISITED THEM FREQUENTLY

AT THE PRISON, HAD ARRANGED LEGAL COUNSEL FOR THEM AND HAD URGED THE INDIAN GOVERNMENT TO COME FORWARD WITH SPECIFIC CHARGES AGAINST THEM.

"HARCOS AND FLETCHER WENT ON A HUNGER-STRIKE ON JUNE 16 TO PRESS THREE DEMANDS: THAT THEIR TRIAL SHOULD START IMMEDIATELY, THAT A SPECIAL INVESTIGATION SHOULD BE INSTITUTED INTO THEIR CHARGES BY AN INDEPENDENT BODY FROM NEW DELHI AND THAT VISITS BY AMERICAN CONSULAR OFFICIALS WHICH HAS BEEN SUSPENDED SINCE LATE APRIL SHOULD BE RESTORED. IT IS SAID THAT THEY WERE INSPIRED TO THIS MOVE BY THE EXAMPLE OF SEVERAL NAXALITE PRISONERS WHO HAD ALSO EARLIER GONE ON HUNGER STRIKE DEMANDING THE STATUS OF POLITICAL PRISONERS AND DISMISSAL OF CASES WHICH ARE NOT BROUGHT TO TRIAL WITHIN THREE MONTHS.

"REPORTORIAL COVERAGE OF THE CASES HAS HOWEVER SOME INTERESTING SIDELIGHTS. A JOURNALIST WORKING FOR A FOREIGN NEWS AGENCY ALLEGES THAT HE WAS SHADOWED FOR SOME TIME AFTER HE HAD FILED A STORY ON THE ARRESTS.

"ANOTHER FOREIGN CORRESPONDENT WHO REPORTED THE CASE FOR WASHINGTON POST FACED "DIFFICULTY"IN SECURING MULTIPLE ENTRY VISA FOR HIS FREQUENT MOVEMENTS ACROSS THE INDIA-BANGLADESH BORDER. STILL ANOTHER FOREIGN JOURNALIST INQUIRING INTO THE CASES WAS TOLD NOT TO BE TOO "INQUISITIVE."

"THE QUESTION THAT IS NOW UPPERMOST IN CALCUTTA'S LEGAL CIRCLES IS WHETHER THE COMING KISSINGER VISIT IN LATE AUGUST OR EARLY SEPTEMBER WILL MAKE A MATERIAL DIFFERENCE TO THE EPISODE. AT PRESENT HARCOS AND FLETCHER ARE THE ONLY KNOWN AMERICANS IN INDIAN PRISONS. IN FACT SINCE INDEPENDENCE THE ONLY OTHER PERSONS EVER TO BE ARRESTED AND TRIED UNDER THE UNCLASSIFIED

UNCLASSIFIED

PAGE 04 CALCUT 01388 090522Z

OFFICIAL SECRETS ACT HAVE BEEN ALLEGED PAKISTANI SPIES.
UNQUOTE.
PICKERING

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRESS COMMENTS, BIOGRAPHIC INFORMATION, FOREIGN RELATIONS, ARRESTS, TRIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 09 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974CALCUT01388
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740181-0901
From: CALCUTTA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740766/aaaacena.tel
Line Count: 157
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION NEA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: boyleja
Review Comment: n/a
Review Content Flags:
Review Date: 15 JAN 2003
Review Event:
Review Exemptions: n/a
Review History: WITHDRAWN <08 OCT 2002 by ThomasVJ, PRIVACY>; RELEASED <15 JAN 2003 by boyleja>; APPROVED <15 JAN 2003 by boyleja>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: HARCOS/FLETCHER: HINDUSTHAN STANDARD STORY FOLLOWING IS FULL TEXT OF FRONT PAGE JULY HINDUSTHAN STANDARD
TAGS: CASC, PFOR, IN, (HARCOS), (FLETCHER)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005